

What to Expect at the 2015 Conferences



Two federal court Bench-Bar conferences are planned in the District of Idaho for 2015. The first conference (which alternates from year to year between North Idaho and Eastern Idaho) is set for Friday, September 18, 2015 at the Spokane Convention Center in Spokane, Washington. This will be the first collaborative Bench-Bar conference presented jointly by the Idaho federal courts and the Federal Bar Association for the U.S. District Court for Eastern Washington. The second conference, held each year in Boise, is set for Friday, October 30, 2015 at the Boise Centre on the Grove.

The morning program at the Spokane conference includes Chief District Judges B. Lynn Winmill (of the District of Idaho) and Rosanna Malouf Peterson (of the Eastern District of Washington), and Ninth Circuit Judge N. Randy Smith who will give the State of the Judiciary remarks concerning their respective courts. The morning plenary session features a live-video feed presentation by Judge Richard A. Posner, a Seventh Circuit judge who has a prodigious library of legal scholarship in his judicial opinions and in his academic writing about economics, the law, and the work of judges. Judge Posner's remarks draw upon the intersection of law and economics -- a frequent theme of his thinking and writing -- and are titled "An Economic Analysis of the Law." Following a lunch break, the conference will continue with comprehensive breakout sessions taught by experts in their fields from private practice and academia addressing topics important to practitioners of many specialties, including programs on "Environmental & Water Law," "What Happens After Federal Criminal Sentencing," "Advocacy and Initiatives to Combat Human Trafficking," "Discharge of Student Loans in Bankruptcy," and "Information You Should Know about the Bar Complaint Process in Washington and Idaho." The afternoon ends with a first for the Spokane locals, but a long-standing and popular component of the Idaho conferences -- the lively "Judges' Panel" program, in which judges from the federal bench answer questions of substance and procedure regarding the practice of law in the federal courts of Idaho and Eastern Washington.

In Boise, Chief District Judge B. Lynn Winmill and Chief Bankruptcy Judge Terry Myers, along with Circuit Judge N. Randy Smith, will begin the conference with a conversation about the state of the judiciary in the District of Idaho and the Ninth Circuit. Next will be the plenary session of the conference, highlighted by keynote speaker, Philip Howard. Mr. Howard is senior counsel with the New York City office of Covington & Burling, and is the head of "Common Good," an advocacy organization which believes that "individual responsibility, not mindless bureaucracy must be the organizing principle of government" and which advocates that government should be "radically simplified" to "restore the ability of officials and citizens alike to use common sense when advancing public goals." Mr. Howard has written several books espousing his views on those subjects, which have generated considerable conversation around the country, including *The Death of Common Sense*, *The Collapse of the Common Good*, *Life Without Lawyers*, and his most recent book, *The Rule of Nobody*. Following his remarks, there will be a panel discussion of policymakers, lawyers, and business people to talk about real-life examples of regulatory form versus substance, and the potential for reform. More information about Mr. Howard and his organization can be found at www.commongood.org.

After the morning sessions, there will be a hosted luncheon. The afternoon session then begins with breakout sessions dealing with the significant developments in the past year in the employment law arena, the use of expert and fact witness testimony in environmental litigation and trials, and a discussion of "Life After Sentencing in Federal Criminal Cases" with information from experts on the business of the Federal Bureau of Prisons and on the world of supervised release in the District of Idaho.

Following those sessions, there will be an important presentation about federal rule changes to take effect in 2015, some of which will significantly alter the nature of discovery in federal court. This will be an important opportunity for lawyers to learn about changes to Federal Rule of Evidence 801, Federal Rules of Procedure 26 and 45, and Local Rules 15.1, 27.1, and 47.2.

The Boise conference concludes with the always enlightening and sometimes even entertaining Judges' Panel discussion, consisting of questions, answers, and occasional commentary regarding the practice of law before the District of Idaho and the Ninth Circuit Court of Appeals.

Always a grand bargain for the enlightening and interesting content of the conference program, the

conference cost is \$75 for attorneys, \$35 for U.S. Attorneys, Federal Defenders, Young Lawyers (ISB), law clerks, law school faculty, and paralegals. (Late registrations will have higher registration costs.) There is no charge for current law students. The cost includes the CLE credits, a continental breakfast, and a full lunch (breakfast and lunch provided at the Boise conference only). CLE credit approvals are pending. A registration form is available on the Courts' website at www.id.uscourts.gov.